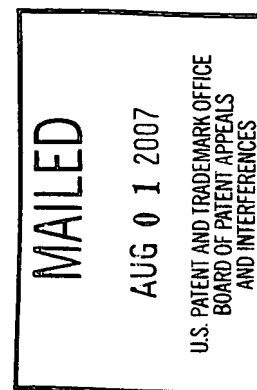


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte WEN-HSIAO PENG and YEN-KUANG CHEN

Application 09/758,647
Technology Center 2600



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This Image File Wrapper (IFW) application was electronically received at the Board of Patent Appeals and Interferences on July 21, 2007. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below.

On April 6, 2006, an Examiner's Answer was mailed. In the Evidence Relied Upon section, page 3, paragraph (8), the Examiner has failed to provide specific content intended for this section. The Examiner is to list the reference evidence relied upon in his 35 U.S.C. § 103(a) rejection and furnish the reference information (US 5,436,665 issued to Ueno et al. and US 2002/0080878 A1 issued to Li as specified in paragraph (9) of the Examiner's Answer.

Before further review, the Examiner must mail a PTOL-90 that will include in the amended Evidence Relied Upon section, the list of references mentioned in the statement of rejections. Correction is required. *See the Manual of Patent Examining Procedure (MPEP) § 1207.02.*

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CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner:

(1) to issue and mail a form PTOL-90 amending section (8) of the Examiner's Answer mailed April 6, 2006 as specified above; and

(2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

PATRICK J. NOLAN

Deputy Chief Appeals Administrator
(571) 272-9797

PJN/hh

John P. Ward

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